

CM SUBSTANTIAL DIFFERENCES AND IMPROVEMENTS OVER PRIOR ART

Comparisons of CM "Features and Claims" and Legal Opinion relative to Patent granted to, Dethloff et al.:

- 1.
2. Requires pre-use implementation - does not provide for sending unplanned emergency cash.
3. Does not provide for the utilization of ATM processors, networks and systems.
4. Does not provide for sending cash from any non-associated credit or debit card.
5. Does not provide for processing the cash sent as a withdrawal from an ATM.
6. Does not create the lowest cost system to operate and provide the service.
7. Does not provide for the quickest and easiest method to send someone cash and does not provide a method for quickly and easily sending and receiving unplanned emergency cash.
8. Does not provide for sending cash by using a computer.
9. Does not provide for the utilization of ATM processors, networks and systems.
10. Requires a unique proprietary electronic input interface device to send cash.
11. Does not provide for the security of an escrow account to hold the pay-out cash and reserve for possible expenses.
12. Does not provide for the implementation with the simultaneous random creation and assignment of a 9-digit account number.
13. Does not provide for the security of a billion to one odds against fraudulent use of the account number.
14. Provides for "charged" cards which are less secure because of the possibility of loss or theft.
15. Does not provide for the storage of funds in a secure bank escrow account.
16. Requires unique proprietary input/output devices which exchange data with an external device to implement programming of their proprietary card and does not anticipate or refer to ATM implementation.
17. Requires unique proprietary input/output devices which exchange data with an external device to implement programming of their proprietary card and does not anticipate or refer to ATM implementation.
18. Does not provide for recipient of cash in a different currency on the basis of the rate of exchange at the time of pay-out from a standard ATM. Instead the patent anticipates the theoretical possibility of several alternative procedures for changing the value of the card into a different currency by utilizing proprietary "devices or machines...installed...at locations where travelers mainly convene, e.g., airports, railway stations, hotels, etc." The CM system is substantially different from, and an improvement upon the theoretical systems described, in that the currency rate exchange will take place at any ATM, coincidental and simultaneous with the receipt of the cash sent. The CM method is more cost effective than the complex theoretical applications described and disclosed in the subject patent.
19. Does not provide for using a safer, more readily available and replaceable "uncharged" generic card.
20. Does not provide check access from an ATM but instead requires proprietary cash dispenser devices.
21. Requires "charged" cards which in one theoretical application utilizes magnetic cards and a proprietary device which "...has a slot through which a programmable card can be slid for programming a magnetic stripe of the card", and in which "...the magnetic stripe carries the programmable memory of the card. The CM system invented is substantially different from and a substantial improvement upon the programmed card system described in the subject patent.
22. Requires a unique proprietary device and system to obtain cash.
- 23.
24. Does not provide a method consistent with the possibility of sending cash without pre-planning and without prior obtainment of the pay-out card.
25. The patent does not provide a system to access, and does not provide for sending cash to be received from, the more than 200,000 U.S. and the more than one half million Worldwide presently available ATM locations.

Legal Opinion:

CM's unique "business method" invention is a more convenient, more useful, and less expensive tool for sending someone unplanned emergency cash than the aforementioned "business method" patent. CM's unique integration of some commonly used devices and technology, with CM's proprietary internal system technology and CM's unique proprietary sequence is, in the opinion of the undersigned, substantially different from and an improvement upon, the art described and disclosed in the aforementioned patent.

Dated: August 16, 2000

S/ Michael D. Battaglini
Michael D. Battaglini, Esq.

CM SUBSTANTIAL DIFFERENCES AND IMPROVEMENTS OVER PRIOR ART

Comparisons of CM "Features and Claims" and Legal Opinion relative to Patent granted to, Brody et al.:

- 1.
2. Requires "on premises" implementation which does not provide the substantial CM improvement for the immediate sending of emergency cash from home.
- 3.
- 4.
5. Does not provide for processing the cash sent as a withdrawal from an ATM.
6. Does not create the lowest cost system to operate and provide the service.
7. Does not provide the quickest and easiest way to send cash and does not provide for sending and receiving unplanned emergency cash.
8. Does not provide for sending cash by using a computer.
9. Does not provide for the utilization of ATM processors, networks and systems.
10. Requires a unique proprietary electronic input interface device to send cash.
11. Requires an electronic input interface device to send cash.
12. Does not provide for the security of an escrow account to hold the pay-out cash and reserve for possible expenses.
13. Does not provide for the implementation with the simultaneous random creation and assignment of a 9-digit account number.
14. Does not provide for the security of a billion to one odds against fraudulent use of the account number.
15. Provides for charged cards which are less secure because of possibility of loss or theft.
16. Does not provide for the security of bank escrow account.
- 17.
18. Does not provide for the pay-out in a different country at the current rate of exchange at the time of pay-out.
19. Requires a limited use withdrawal card obtained by the intended recipient at a business location or "center" operated by the same retail store chain or other "sponsor" as the "center" from which the sender physically purchased a "charged" card and, at which "sponsor center", the sender used a specially programmed ATM to transfer money to a "sub-account" accessible by the recipient. The sender and the recipient must both have access to the same "sponsor", and the sender must physically go to a mutually acceptable "sponsor center", during business hours, to purchase the sending card, and to implement the transfer with a unique proprietary device or specially programmed ATM.
The system CM has invented, which provides a safer, more convenient, easier, faster, more efficient, and less expensive operational system for home phone or computer implementation is substantially different from, and a substantial improvement upon, the methods described in this patent.
- 20.
21. Requires the purchase and use of a sending card with a pre-programmed or "charged" amount to implement the transfer.
22. Requires cash in the "sponsor's account" sufficient to cover projected and anticipated transfers from that account to recipients. The CM system of simultaneous transfers is a substantially different and improved business method.
23. Does not specifically provide for unlimited re-use of their card.
- 24.
- 25.

Legal Opinion:

CM's unique "business method" invention is a more convenient, more useful, and less expensive tool for sending someone unplanned emergency cash than the aforementioned "business method" patent. CM's unique integration of some commonly used devices and technology, with CM's proprietary internal system technology and CM's unique proprietary sequence is, in the opinion of the undersigned, substantially different from and an improvement upon, the art described and disclosed in the aforementioned patent.

Dated: August 16, 2000

S/ Michael D. Battaglini
Michael D. Battaglini, Esq.

CM SUBSTANTIAL DIFFERENCES AND IMPROVEMENTS OVER PRIOR ART

Comparisons of CM "Features and Claims" and Legal Opinion relative to Patent granted to, Smorodinsky et al.:

This patent and its disclosures refer exclusively to a money transfer system for the billing and payment of bills by the use of computers which have previously intercoupled with each other for that purpose. There is no reference or method provided for the unplanned and not previously arranged sending of cash and, therefore, this patent is substantially different from the CM business process invention for sending emergency cash.

It does not appear to be necessary to make a point by point comparison with the almost entirely different CM features and claims.

Legal Opinion:

CM's unique "business method" invention is substantially different from the art described in the aforementioned patent since the methods and disclosures in this patent would not be useful for the purpose of sending someone unplanned emergency cash.

Dated: August 16, 2000

S/ Michael D. Battaglini
Michael D. Battaglini, Esq.

CM SUBSTANTIAL DIFFERENCES AND IMPROVEMENTS OVER PRIOR ART

Comparisons of CM "Features and Claims" and Legal Opinion relative to Patent granted to, Fleming:

This patent is particularly interesting in that a patent was granted for a new business method which acknowledged that the component parts are in common use. The invention provides for a multi-use card linked system which "...invention does not require changes to the physical computer hardware or merchant equipment in use for credit and debit card systems today", and that "...this invention operates by extending and modifying the currently existing software operations, including database operations, ...the Bank Approval Processing System, and the Bank Customer Account Information System, and the Bank Payment Processing System". The patent and disclosures provide the sequences for a business method with which a credit or debit card issuer could issue a "parent card" and one or more "child cards". The method provides for a telephone system with which the "parent" can alter and control that portion of the total funds available to the "parent," which are to be made accessible by using a pre-linked "child's card." The methods require two or more pre-established linked accounts

This invention does not provide a system to send someone unplanned emergency cash since the accounts and cards would have to be obtained and linked in advance of need.

It does not appear to be necessary to make a point by point comparison with the CM system, which also utilizes some of the same component parts which are in common use, but, which are utilized in a proprietary system and sequence, integrated with proprietary programs to create a business method to send someone unplanned emergency cash.

Legal Opinion:

CM's unique "business method" invention is substantially different from the art described in the aforementioned patent since the methods and disclosures in this patent would not be useful for the purpose of sending someone unplanned emergency cash.

Dated: August 16, 2000

S/ Michael D. Battaglini
Michael D. Battaglini, Esq.

CM SUBSTANTIAL DIFFERENCES AND IMPROVEMENTS OVER PRIOR ART

Comparisons of CM "Features and Claims" and Legal Opinion relative to Patent granted to, Taskett:

This patent's claims and disclosures reveal a business method invention for linking two pre-established accounts and providing for one card for both. The process invented provides a system for linking an "...integrated transaction card, credit card, debit card, or the like...[with a] ...pre-paid telephone card...[on] ...the other side.... so that a consumer may transfer funds from the transaction instrument to the pre-paid phone card without the host system having to prompt the consumer for the necessary information."

This business method invention and disclosures are substantially different from the CM business method invention for sending someone emergency cash.

It does not appear to be necessary to make a point by point comparison with the almost entirely different CM features and claims.

Legal Opinion:

CM's unique "business method" invention is substantially different from the art described in the aforementioned patent since the methods and disclosures in this patent would not be useful for the purpose of sending someone unplanned emergency cash.

Dated: August 16, 2000

S/ Michael D. Battaglini
Michael D. Battaglini, Esq.

CM SUBSTANTIAL DIFFERENCES AND IMPROVEMENTS OVER PRIOR ART

Comparisons of CM "Features and Claims" and Legal Opinion relative to Patent granted to, Brake, Jr. et al.:

This business method and its disclosures invent a system for a single card to be utilized for multi-purposes. The card described "... provides a customer with a primary use as a transaction card... from one specific vendor... which can be further activated to have a secondary use as a credit card... with any merchant that accepts traditional credit cards such as VISA®, MASTERCARD®, American Express®, or Discover®.

The business method process invented and the disclosures in this patent provide a system for the multi-purpose use of a single card. The patent and disclosures do not touch upon the CM business method process invented for the purpose of sending someone else cash.

It does not appear to be necessary to make a point by point comparison with the almost entirely different CM features and claims.

Legal Opinion:

CM's unique "business method" invention is substantially different from the art described in the aforementioned patent since the methods and disclosures in this patent would not be useful for the purpose of sending someone unplanned emergency cash.

Dated: August 16, 2000

S/ Michael D. Battaglini
Michael D. Battaglini, Esq.

CM SUBSTANTIAL DIFFERENCES AND IMPROVEMENTS OVER PRIOR ART

Comparisons of CM "Features and Claims" and Legal Opinion relative to Patent granted to, Pieterse et al.:

1. Requires "Session Manager" - not fully automated system.
2. Requires pre-use implementation - does not provide for sending unplanned emergency cash.
3. Does not provide for the utilization of ATM processors, networks and systems.
4. Does not provide for sending cash from any non-associated credit or debit card.
5. Does not provide for processing the cash sent as a withdrawal from an ATM.
6. Does not create the lowest cost system to operate and provide the service.
7. Does not provide for the quickest and easiest method to send someone cash and does not provide a method for quickly and easily sending and receiving unplanned emergency cash.
8. Does not provide for sending cash by using a computer.
9. Does not provide for the utilization of ATM processors, networks and systems.
10. Requires a unique proprietary electronic input interface device to send cash.
11. Does not provide for the security of an escrow account to hold the pay-out cash and reserve for possible expenses.
12. Does not provide for the implementation with the simultaneous random creation and assignment of a 9-digit account number.
13. Does not provide for the security of a billion to one odds against fraudulent use of the account number.
14. Provides for "charged" cards which are less secure because of the possibility of loss or theft.
15. Does not provide a method or technology for storage or pay-out of funds and does not provide for a bank escrow account.
16. Requires unique proprietary input/output special ATM proprietary program or re-programming.
17. Requires special ATM proprietary card reader device.
18. Does not provide for the pay-out in a different country at the current rate of exchange at the time of pay-out.
19. Does not provide for using a safer, more readily available and replaceable "uncharged" generic card.
20. Does not provide a method to access the pay-out account at any ATM since it requires a unique ATM program and card reader device.
21. Provides for the use of I.C. chip "smart cards" which have a more limited use potential and higher cost for the card and processing. There is a brief allusion to magnetic stripe cards being used as prepaid cards storing balances which is not supported by an implementation method and which the CM invention without prepaid cards storing balances and with cash paid with use of any CM card, is substantially different from, and an improvement upon that reference to magnetic cards.
22. Does not provide a technical plan or process for obtaining cash except a for brief allusion to a pay-out, on a more limited basis, by an ATM or other transaction device with a unique proprietary program and unique proprietary card reader device.
23. Does not specifically provide for the unlimited re-use of their card.
24. Does not provide a method consistent with the possibility of sending cash without pre-planning and without prior obtainment of the pay-out card.
25. The patent does not provide a system to access, and does not provide for sending cash to be received from, the more than 200,000 U.S. and the more than one half million Worldwide presently available ATM locations.

Legal Opinion:

CM's unique "business method" invention is a more convenient, more useful, and less expensive tool for sending someone unplanned emergency cash than the aforementioned "business method" patent. CM's unique integration of some commonly used devices and technology, with CM's proprietary internal system technology and CM's unique proprietary sequence is, in the opinion of the undersigned, substantially different from and an improvement upon, the art described and disclosed in the aforementioned patent.

Dated: August 16, 2000

S/ Michael D. Battaglini
Michael D. Battaglini, Esq.

CM SUBSTANTIAL DIFFERENCES AND IMPROVEMENTS OVER PRIOR ART

Comparisons of CM "Features and Claims" and Legal Opinion relative to Patent granted to, Picciallo:

This patent granted 3/28/00 is the most recent of those found in a Professional Patent Search which provide a business method invention for the pre-establishment of a primary account which can be used to transfer funds to a pre-established and pre-correlated, or "linked", secondary account card.

Most, if not all, of the CM features and claims which make CM substantially different from Picciallo's predecessors, Dethloff (6/6/89), and Fleming (9/14/99), apply also to this patented business method.

This invention does not provide a system to send someone unplanned emergency cash since the accounts and cards would have to be obtained and linked in advance of need.

It does not appear to be necessary to make a point by point comparison with the almost entirely different CM features and claims.

Legal Opinion:

CM's unique "business method" invention is a more convenient, more useful, and less expensive tool for sending someone unplanned emergency cash than the aforementioned "business method" patent. CM's unique integration of some commonly used devices and technology, with CM's proprietary internal system technology and CM's unique proprietary sequence is, in the opinion of the undersigned, substantially different from and an improvement upon, the art described and disclosed in the aforementioned patent.

Dated: August 16, 2000

S/ Michael D. Battaglini
Michael D. Battaglini, Esq.